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		T MURPHY & PI TY PLAZA	EWART, JAMES D		
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	10/697,755	NOBUSAWA ET AL.					
Office Action Summary	Examiner	Art Unit					
	James D. Ewart	2683					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on							
2a) This action is FINAL . 2b) ⊠ This	action is non-final.						
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
 4) ☐ Claim(s) 1-39 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-39 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or 	vn from consideration.						
Application Papers	•	·					
9) The specification is objected to by the Examiner.							
10)☐ The drawing(s) filed on is/are: a)☐ acce	☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the	-,,	, ,					
Replacement drawing sheet(s) including the correcting 11) The oath or declaration is objected to by the Ex		• •					
Priority under 35 U.S.C. § 119							
a) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Applicati ity documents have been receive ı (PCT Rule 17.2(a)).	on No ed in this National Stage					
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ate					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application (PTO-152)					

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Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 9-12 and 36-38 are product claims but they refer to steps, which are related to a method claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5,9,16,19,26,29 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakano et al. (U.S. Patent No. 5,901,366).

Referring to claims 1, 5, 9, 16 and 36 Nakano et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment by transmitting to the target equipment a desired code in various remote control codes for predetermined various controlling operations on the target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40), comprising: an operation unit having a plurality of operation buttons (Column 2, Lines 13-18); storage means for storing the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figures 9 and 17 and Column 14, Lines 28-40); and transmission means for transmitting to the target equipment a remote control code (Figures

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3, 9 and 17), which is associated with one button of the plurality of operation buttons, and is one

of the various remote control codes stored in said storage means when the one button is pressed

(Column 14, Lines 28-40).

Referring to claim 19, Nakano et al. teaches a mobile telephone with remote-controlling

capability which remote-controls target equipment, comprising: an operation unit having a

plurality of operation buttons (Column 2, Lines 1-18 and Column 14, Lines 28-40 and Figure 9);

storage means for storing various remote control codes associated with the plurality of operation

buttons in a one-to-one relationship for various controlling operations on the target equipment

(Figure 9 & 17 and Column 14, Lines 28-40), and a part of remote control codes of a group of

remote control codes for a predetermined controlling operation on the target equipment (Figure 9)

& 15); and transmission means for transmitting to the target equipment the group of remote

control codes formed by a remote control code (Figure 3.9 and 17) associated with an operation

button pressed by a user in advance and the part of remote control codes to perform the

predetermined controlling operation on the target equipment in response to a user operation

(Column 14, Lines 28-40).

Referring to claim 26, Nakano et al. teaches a remote-controlling method for a mobile

telephone with remote-controlling capability which remote-controls target equipment (Column 2,

Lines 1-18 and Column 14, Lines 28-40), and has storage means for storing a group of remote

control codes for a predetermined controlling operation on the target equipment (Figures 9 & 17

and Column 14, Lines 28-40), comprising a transmitting step of transmitting to the target

equipment the group of remote control codes stored in the storage means in response to a user

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operation (Figure 17, S3). Since the claim does not indicate a single operation, Examiner equates operation with the selection of all arrow keys.

Referring to claims 29 and 37, Nakano et al. teaches a remote-controlling method for a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40), and has an operation unit and storage means for storing various remote control codes associated with a plurality of operation buttons of the operation unit in a one-to-one relationship for various controlling operations on the target equipment (Figures 9 & 17 and Column 14, Lines 28-40), and a part of remote control codes of a group of remote control codes for a predetermined controlling operation on the target equipment (Figure 17, S3), comprising a step of transmitting to the target equipment the group of remote control codes formed by the part of remote control codes stored in the storage means (Figures 3, 9 and 17, S3) and a remote control code associated with an operation button pressed by a user in advance to perform the predetermined controlling operation on the target equipment in response to a user operation (Column 14, lines 28-40). The predetermined group of remote control codes is up, down, right and left. These buttons are pressed prior (in advance) to the operation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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3. Claims 2,3,6,7,10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. and further in view of Goldstein (U.S. Patent No. 5,410,326).

Referring to claims 2, 6 and 10, Nakano et al. further teaches displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the key pad (Figure 9), but does not teach displaying the functions on the display. Goldstein teaches displaying the functions on the display (Figure 1 and Column 7, Lines 16-18). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Nakano et al with the teaching of Goldstein of displaying the functions on the display to permit control functions to be displayed and selected (Column 7, Lines 30-32)

Referring to claims 3, 7 and 11, Goldstein further teaches wherein said display means displays the correspondences by displaying an image of the operation unit showing controlling operations on and corresponding to the plurality of operation buttons (Figure 1).

Claims 4,8,12,13,18,21,28,31,35 and 39 are rejected under 35 U.S.C. 103(a) as being 4. unpatentable over Nakano et al. and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Referring to claim 4,8,12,18,21,28,31 and 35 Nakano et al. teaches the limitations of claims 4,8, 12 and 18, but does not teach downloading the various remote control codes

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associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means. Wall et al teaches downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server (0020), which is connected to a communications network (0020), and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figure 1), through the communications network (0020), and storing the various remote control codes in said storage means (0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Nakano et al with the teaching of Wall et al of downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means so that the remote control device can receive programming via the manufacturers web site (0020).

Referring to claim 13, Nakano et al. teaches a remote control system, comprising: a mobile telephone with remote-controlling capability which has an operation unit provided with a plurality of operation buttons and remote-controls target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40); and associates various remote control codes for predetermined various

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controlling operations on the target equipment with the plurality of operation buttons in a one-toone relationship and holds the codes (Figures 9 & 17 and Column 14, Lines 28-40), wherein: said mobile telephone comprises: storing the codes in said storage means (Figures 9 & 17 and Column 14, Lines 28-40); and transmission means for transmitting to the target equipment a remote control code (Figures 3, 9 and 17), which is associated with one button of the plurality of operation buttons and is one of the various remote control codes stored in said storage means when the one button is pressed (Column 14, Lines 28-40), but does not teach and a server which is connected to a communications network, download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network. Wall et al teaches a server which is connected to a communications network (0020), download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network (0020 and Figure 1). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al with the teaching of Wall et al teaches a server which is connected to a communications network, download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network so that the remote control device can receive programming via the manufacturers web site (0020).

Referring to claim 39, Nakano et al. teaches a remote control system, comprising: a mobile telephone with remote-controlling capability which has an operation unit provided with a

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plurality of operation buttons, and remote-controls target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40); a first group of remote control codes for a predetermined first controlling operation on the target equipment (Figure 17, S3), and a part of remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Figure 17, S4-S9), wherein said mobile telephone comprises: storage means (Figure 9 & 17 and Column 14, Lines 28-40); and transmission means for transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons when the one button is pressed and when the mobile telephone is set in a first remote control mode (Figure 17, S2), transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Figure 17, S3), and transmitting to the target equipment the second group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Figure 9 and Figure 17, S4-S9), but does not teach a server which is connected to a communications network, and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment, download means for downloading the various remote control codes, the first group of remote control codes, and the part of remote control codes from said server through the communications network, and storing the downloaded codes in said storage means. Wall et al teaches a server which is connected to a communications network (0020), and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on

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the target equipment (0020 and 0023), download means for downloading the various remote

control codes (0020), the first group of remote control codes, and the part of remote control

codes from said server through the communications network (0020), and storing the downloaded

codes in said storage means (0023). Therefore at the time the invention was made, it would have

been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al with

the teaching of Wall et al teaches a server which is connected to a communications network, and

stores various remote control codes associated with the plurality of operation buttons in a one-to-

one relationship for various controlling operations on the target equipment, download means for

downloading the various remote control codes, the first group of remote control codes, and the

part of remote control codes from said server through the communications network, and storing

the downloaded codes in said storage means so that the remote control device can receive

programming via the manufacturers web site (0020).

5. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano

et al. and Wall et al. further in view of Goldstein.

Referring to claim 14, Nakano et al. further teaches displaying the operation of the

plurality of operation buttons and the predetermined various controlling operations performed

when the plurality of operation buttons are pressed respectively on the key pad (Figure 9), but

does not teach displaying the functions on the display. Goldstein teaches displaying the

functions on the display (Figure 1 and Column 7, Lines 16-18). Therefore at the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to

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combine the art of Nakano et al with the teaching of Goldstein of displaying the functions on the display to permit control functions to be displayed and selected (Column 7, Lines 30-32)

Referring to claim 15, Goldstein further teaches wherein said display means displays the correspondences by displaying an image of the operation unit showing controlling operations on and corresponding to the plurality of operation buttons (Figure 1).

6. Claims 17,20,27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. and further in view of August et al. (U.S. Patent No. 5,671,267).

Referring to claims 17 and 27, Nakano et al. teaches the limitations of claims 17 and 27, but does not teach wherein the target equipment is a video recording device, and the group of remote control codes forms recording information for recording of a program. August et al. teaches wherein the target equipment is a video recording device, and the group of remote control codes forms recording information for recording of a program (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al. with the teaching of August et al. wherein the target equipment is a video recording device, and the group of remote control codes forms recording information for recording of a program to provide remote control and wireless communications in a single device (Column 1, Lines 29-33)

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Referring to claims 20 and 30, Nakano et al. teaches the limitations of claims 20 and 30, but does not teach wherein the group of remote control codes forms time setting information for setting a time on the target equipment. August et al. teaches wherein the group of remote control codes forms time setting information for setting a time on the target equipment. (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al. with the teaching of August et al. wherein the group of remote control codes forms time setting information for setting a time on the target equipment to provide remote control and wireless communications in a single device (Column 1, Lines 29-33).

7. Claims 22, 32 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. and further in view of Cheng (U.S. Patent Publication No. 2004/0229694).

Referring to claims 22 and 32, Nakano et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40), comprising: an operation unit having a plurality of operation buttons (Figure 9): storage means for storing various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (Figure 9 & 17 and Column 14, Lines 28-40), a first group of remote control codes for a predetermined first controlling operation on the target equipment (Figure 17, S3), and a part of remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Figure 17, S4 – S9); and transmission means for

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plurality of operation buttons when the one button is pressed and when the mobile telephone is set in a first remote control mode (Figure 17, S2 and Figures 3 & 9), transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Figure 17, S3 and Figures 3 & 9), and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Figure 17, S4-S9 and Figures 3 & 9), but does not teach a group of codes formed by a control code associated with an operation button. Cheng teaches a group of codes formed by a control code associated with an operation button (0010 and 0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al with the teaching of Cheng of a group of codes formed by a control code associated with an operation button to provide a single key to perform a series of programmable instructions (0010).

Referring to claim 38, Nakano et al. teaches 38. A program used to direct a computer to execute a remote-controlling method for a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 2, Lines 1-18 and Column 14, Lines 28-40), and has an operation unit and storage means for storing various remote control codes associated with a plurality of operation buttons of the operation unit in a one-to-one relationship for various controlling operations on the target equipment (Figures 9 & 17 and Column 14, Lines 28-40), a first group of remote control codes for a predetermined first controlling operation on the target

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equipment (Figure 17, S3), and a part of remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Figure 17, S4-S9), comprising the steps of: transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons when the one button is pressed and when the mobile telephone is set in a first remote control mode (Figure 17, S2 and Figures 3 & 9); transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Figure 17, S3 and Figures 3 & 9); and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Figure 17, S4-S9 and Figures 3 & 9), but does not teach a group of codes formed by a control code associated with an operation button. Cheng teaches a group of codes formed by a control code associated with an operation button (0010 and 0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al with the teaching of Cheng of a group of codes formed by a control code associated with an operation button to provide a single key to perform a series of programmable instructions (0010).

8. Claims 23,24,33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. and Cheng and further in view of August et al.

Referring to claims 23 and 33, Nakano et al. and Cheng teach the limitations of claims 23 and 33, but do not teach wherein the target equipment is a video recording device, and the group

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of remote control codes forms recording information for recording of a program. August et al. teaches wherein the target equipment is a video recording device, and the group of remote control codes forms recording information for recording of a program (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al. and Cheng with the teaching of August et al. wherein the target equipment is a video recording device, and the group of remote control codes forms recording information for recording of a program to provide remote control and wireless communications in a single device (Column 1, Lines 29-33)

Referring to claims 24 and 34, Nakano et al. and Cheng teach the limitations of claims 24 and 34, but do not teach wherein the group of remote control codes forms time setting information for setting a time on the target equipment. August et al. teaches wherein the group of remote control codes forms time setting information for setting a time on the target equipment. (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Nakano et al. with the teaching of August et al. wherein the group of remote control codes forms time setting information for setting a time on the target equipment to provide remote control and wireless communications in a single device (Column 1, Lines 29-33).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. and Cheng and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

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Referring to claim 25, Nakano et al. and Cheng teach the limitations of claim 25, but do

not teach wherein each remote control code stored in said storage means is received from a

server connected to a communications network through the communications network. Wall et al

teaches each remote control code stored in said storage means is received from a server

connected to a communications network through the communications network (0020, 0023 and

Figure 1). Therefore at the time the invention was made, it would have been obvious to a person

of ordinary skill in the art to combine the teaching of Nakano et al. and Cheng with the teaching

of Wall et al wherein each remote control code stored in said storage means is received from a

server connected to a communications network through the communications network so that the

remote control device can receive programming via the manufacturers web site (0020).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

August et al. U.S. Patent No. 5,671,267 discloses interactive system for communications

between a cordless telephone and a remotely operated device.

Barzebar et al. U.S. Patent Publication No. 2002/0044199 discloses integrated remote

control and phone.

Cheng U.S. Patent Publication No. 2001/0044338 discloses game controller.

Daly U.S. Patent No. 6,456,843 discloses method and apparatus for over-the-air

programming of telecommunication services.

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Gerzberg et al. U.S. Patent No. 6,292,210 discloses integrated remote control and phone user interface.

Grube et al. U.S. Patent No. 5,201,067 discloses personal communications device having remote control capability.

Hayes, Jr. Et al. U.S. Patent No. 6,295,448 discloses short distance communication and remote control capability for mobile telephones.

Hollstrom et al. U.S. Patent No. 6,763,247 discloses portable telecommunication apparatus for controlling an electronic utility device.

Iselt U.S. Patent No. 6,914,888 discloses radio device with remote control.

King U.S. Patent No. 6,308,083 discloses integrated cellular telephone with programmable transmitter.

Krisbergh et al. U.S. Patent No. 5,138,649 discloses portable telephone handset with remote control.

Lee U.S. Patent No. 6,487,422 discloses wireless telephone having remote controller function.

Nishihara U.S. Patent No. 5,561,712 discloses hands free phone set with hand held remote control for controlling telephone functions.

Parvulescu et al. U.S. Patent No. 5,802,460 discloses telephone handset with remote controller for transferring information to a wireless messaging device.

Pettit U.S. Patent No. 6,445,933 discloses tele-remote telephone and remote control device.

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Pope U.S. Patent No. 5,963,624 discloses digital cordless telephone with remote control

feature.

Stenman et al. U.S. Patent No. 6,223,029 discloses combined mobile telephone aand

remote control terminal.

Yang U.S. Patent No. 6,133,847 discloses configurable remote control device.

Yuen U.S. Patent No. 6,662,007 discloses cordless phone back link for interactive

television system.

11. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The

examiner can normally be reached on M-F 7am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 872-9306 for regular

communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (571)272-2600.

Ewart

September 2, 2005

WILLIAM TROST

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600